

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CLERK
U.S. BANKRUPTCY
COURT - WDPA

IN RE : Bankruptcy No. 21-20214-JAD
Harvey Dwight Evans and :
Jennifer Jo Evans, : Chapter 13
Debtors :

Harvey Dwight Evans and : Related to Docket No.: 52
Jennifer Jo Evans, : Hearing: September 14, 2022 at 11 a.m.
Movants :
vs. : **DEFAULT O/E JAD**
Ronda J. Winnecur, Esquire, :
Chapter 13 Trustee, :
Respondent. :

ORDER APPROVING POSTPETITION AUTOMOBILE FINANCING

This matter comes before the Court upon the Debtors' Motion for Approval of Post-Petition Vehicle Financing Dkt. No. 52 ("Motion") filed by Debtors on August 16, 2022. Based upon the foregoing, and for good cause shown, it is hereby **ORDERED, ADJUDGED, and DECREED** that:

1. The *Motion* Dkt. No. 50 is **GRANTED** as provided by the terms of this Order. Debtors are authorized to obtain secured financing for the purchase of a replacement, vehicle on the following terms:

- (a) the total amount of financing shall not exceed **\$25,000.00**; and
- (b) the monthly payments made under the financing agreement **shall not exceed \$400.00 per month.**

2. To the extent that Debtors secure financing for the purchase of a new vehicle, such payments **shall be made through the chapter 13 plan**. Within **30 DAYS** of securing such financing, Debtors shall file:

- (a) an amended chapter 13 plan; and
- (b) a report of financing, including details of automobile trade-in or sale, if applicable.

3. To ensure the prompt and timely payment of the automobile loan, Debtors shall make a supplemental payment to the chapter 13 trustee **within 7 days** of filing the report of financing (and each month thereafter as necessary) in an amount sufficient for the trustee to cover the installments due on the loan. The supplemental payments shall be in addition to the regular plan payment, pending confirmation of the amended plan.

4. Upon the filing of the report of financing including details of automobile trade-in or sale, if applicable, the chapter 13 trustee is authorized to cease making payments to Family Savings Credit Union on account of prepetition loan, Claim No. 3 on account of prepetition loan, Claim No. 4. Pending confirmation of any amended plan providing for the new postpetition loan payments, the trustee is authorized to make monthly adequate protection payments to the postpetition automobile lender identified in the report of financing for the contract amount so long as sufficient supplemental funds are provided by Debtors.

5. Notwithstanding the inclusion of the postpetition loan within an amended chapter 13 plan, the underlying terms of the loan shall not be modified absent the consent of the postpetition automobile lender.

6. Debtors shall serve copies of this Order on all creditors eligible to receive distributions through the chapter 13 plan and file proof of the same with the Court.

Prepared by: Daniel P. Foster

Dated: August 16, 2022

DATED: September 8, 2022


JEFFREY J. DELLER jah
UNITED STATES BANKRUPTCY JUDGE

Case Administrator to Mail to:

Debtor(s)

Counsel for Debtor(s)Ronda J.
Winnecour, Esq. Office of the
U.S. Trustee

In re:
Harvey Dwight Evans
Jennifer Jo Evans
Debtors

Case No. 21-20214-JAD
Chapter 13

District/off: 0315-2
Date Rcvd: Sep 08, 2022

User: auto
Form ID: pdf900

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 10, 2022:

Recip ID **Recipient Name and Address**
db/jdb + Harvey Dwight Evans, Jennifer Jo Evans, 97 Pinchalong Road, Grove City, PA 16127-6333

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 10, 2022 Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 8, 2022 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor The Bank of New York Mellon Trust Company N.A., as successor-in-interest to all permitted successors and assigns of JP Morgan Chase Bank, N.A., as Trustee for GMACM Home Equity Loan Trust, Series 200 bnicholas@kmillawgroup.com
Daniel P. Foster	on behalf of Joint Debtor Jennifer Jo Evans dan@mrdebtbuster.com katie@mrdebtbuster.com;kaitlyn@mrdebtbuster.com;kristen@mrdebtbuster.com;fosterlaw@ecf.inforuptcy.com
Daniel P. Foster	on behalf of Debtor Harvey Dwight Evans dan@mrdebtbuster.com katie@mrdebtbuster.com;kaitlyn@mrdebtbuster.com;kristen@mrdebtbuster.com;fosterlaw@ecf.inforuptcy.com
Kellie Rahl-Heffner	on behalf of Creditor 21st Mortgage Corporation krahlf-heffner@grossmcginley.com jkacsur@grossmcginley.com

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User: auto

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Date Recd: Sep 08, 2022

Form ID: pdf900

Total Noticed: 1

Maria Miksich

on behalf of Creditor The Bank of New York Mellon Trust Company N.A., as successor-in-interest to all permitted successors and assigns of JP Morgan Chase Bank, N.A., as Trustee for GMACM Home Equity Loan Trust, Series 200
mmiksich@kmllawgroup.com

Office of the United States Trustee

ustpregion03.pi.ecf@usdoj.gov

Ronda J. Winnecour

cmeccf@chapter13trusteewdpa.com

TOTAL: 7